



COMMONWEALTH *OF* VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, 23219-1939

DAVID R. GEHR
COMMISSIONER

June 24, 1998

Right of Way Use Fees
Chapter 758 of the 1998 General Assembly

All Cities, Counties and Towns
All Certificated Local Exchange Providers

Ladies and Gentlemen:

On July 1, 1998, changes to § 56-458 and 56-462 of the Code of Virginia and the addition of §§ 56-468.1 and 56-468.2 became effective. These changes generally provide for the establishment of a public right of way use fee to cover the use of highway and street right of way by certificated providers of telecommunication services.

Under § 56-468.1, the Virginia Department of Transportation (VDOT) is responsible for calculating the monthly fee per access line based upon a formula. This statute also sets certain reporting periods for information to be used in these calculation, and those reports are not due until after the legislation's effective date.

Based upon the best information available to VDOT, we have determined that the Calculated monthly access line charge for the public right of way use fee will be less than fifty Cents. Therefore, in accordance with § 56-468.1 of the Code of Virginia, as amended on July 1, 1998, the monthly access fee is hereby established at \$0.50 per affected access line.

All telecommunications companies affected by this legislation should take the necessary steps to develop the information to be reported to the Department of Transportation for next year's recalculation. These are to be submitted to

Mr. S.A. Waymack
State Director, Right of Way and Utilities
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Very truly yours,

A handwritten signature in black ink that reads "David R. Gehr".

David R. Gehr
Commissioner

Cc: Virginia Association of Counties
Virginia Municipal League
Virginia Telecommunication Industry Association
State Corporation Commission

WE KEEP VIRGINIA MOVING